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IN THE CITY OF BENTON
STATE OF ILLINOIS

ILLINOIS DEPARTMENT OF NATURAL RESOURCES

PUBLIC COMMENT HEARING
WILLIAMSON ENERGY, LLC
POND CREEK MINE
PERMIT NO. 456

ILLINOIS DEPARTMENT OF NATURAL RESOURCES
BENTON FIELD OFFICE
OFFICE OF MINES AND MINERALS
503 EAST MAIN STREET
BENTON, IL 62812

OCTOBER 23, 2018

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1 (The hearing commenced at 5:39 p.m.)

2 MR. BRENNAN: Good evening. My name is Dan
3 Brennan. I've been appointed hearing officer for
4 tonight's public hearing for the Application Permit 456
5 for Williamson Energy Pond Creek Mining Operations.

6 These proceedings are being held in accordance
7 with 62 Illinois Administrative Code 1773.14. The
8 purpose of this hearing is to gather comments,
9 questions, and public concerns for the Department's
10 consideration in its final decision for the application
11 of number 456 for Williamson Energy, LLC.

12 And it should be informal. If you haven't
13 already signed in, if you want to speak at this
14 evening's hearing, please sign the sheet or let us know.

15 As required by the Act in the Administrative
16 Code, company representatives are present for tonight's
17 meeting. Please note the department nor the company is
18 under any obligation to answer any questions present at
19 tonight's hearing.

20 MR. DUBOSE: Can the people from the mine
21 identify themselves?

22 MR. BRENNAN: I was about to get to that, sir.
23 Thank you for making that point.

24 The Department has hired a court reporter to

1 provide a complete transcript of tonight's hearing.
2 Please be mindful when speaking for accurate
3 transcription.

4 There is a microphone provided if it's needed.
5 And I would like to take this moment to allow the
6 Department and company representatives to introduce
7 themselves. I'm going to start over here.

8 MR. GILLESPIE: Will Gillespie. I'm the site
9 inspector for the Land Reclamation Division of Illinois
10 Department of Natural Resources for the Pond Creek Mine.

11 MS. OAKES: I am Amy Wolff Oakes. I'm an
12 attorney for the Illinois Department of Natural
13 Resources and Office of Mines and Minerals.

14 MR. HAMILTON: I am Glenn Hamilton. I'm the
15 Southern District Supervisor for the Land Reclamation
16 Division here at the Benton office.

17 MR. SCHUERGER: I'm Mark Schuerger. I'm the
18 Director of Engineering for Foresight Energy, the parent
19 company of Williamson Energy.

20 MR. BRENNAN: And as I stated earlier, my name is
21 Dan Brennan, and I'll be the hearing officer. At the
22 closing of this meeting, the Department will collect any
23 written comments or statements, copies of maps or other
24 documents you wish to provide for the record.

1 I'm going to take the list and just go down in
2 the order that people signed in. The proceedings were
3 set to conclude at 7:30. If we have time before that
4 ends, we can talk about additional time. But for right
5 now, we're going to divide that up amongst the people
6 that have already signed in.

7 MS. AMORELLI: I just have a quick question about
8 what you said; that you were not going to answer
9 questions.

10 MR. BRENNAN: We will not be.

11 MS. AMORELLI: Are the questions being asked
12 tonight going to be answered? And how will we get
13 answers to those questions?

14 MR. BRENNAN: There will be a final decision in a
15 report and that will be issued by the Department at a
16 later time. The final comment period extends until
17 November 2nd, for the next 10 days.

18 UNIDENTIFIED SPEAKER: I'm sorry. That didn't
19 answer the question clearly. Will our questions be
20 answered in that final statement or not?

21 MR. BRENNAN: I can't speak to that because I
22 don't know what those questions are, and those questions
23 -- I can tell you that tonight, there will be no answer
24 answering of questions.

1 I can tell you, those questions will be submitted
2 to the Department, and they may be answered or they may
3 not, depending on the questions.

4 MS. OAKES: I can address that. Ma'am, we wait
5 the amount of time that's provided under our
6 regulations. We do a collection and tabulation of all
7 the questions and comments that come both through this
8 public hearing forum and the written comments that come
9 into the Department.

10 We then address the questions, and they are
11 placed on the Illinois Department of Natural Resources
12 website with the responses from the Department.

13 SPEAKER C: Thank you.

14 MR. BRENNAN: First person to sign in was Galen
15 Thomas. Mr. Thomas, if you would like to come forward.

16 MR. THOMAS: Good evening. Thank you for the
17 opportunity to attend this hearing. Just recently it
18 come to my attention of the --

19 MR. DUBOSE: Can't hear you.

20 MR. THOMAS: Okay. I'll just shout louder.
21 Okay. I can do that, too.

22 MS. OAKES: Do you want to move it up? Would it
23 help to set it on the podium?

24 MR. THOMAS: That's going to be a challenge for

1 anybody.

2 MR. GILLESPIE: Does that work for you? Okay.

3 MR. THOMAS: I'll hold it. I'll talk as loud as
4 need be for the recording.

5 I'm Galen Thomas. I'm a member of the Southern
6 Illinois Canoe and Kayak Club. I come because a number
7 of members do regularly use the Big Muddy for
8 recreational purposes, for kayaking; and Rend Lake, all
9 the way down.

10 And I know that some of them have expressed
11 concern over whether this project is going to impact the
12 quality of the Big Muddy, and whether there is any
13 hazard that could be posed.

14 Obviously, there are a number of questions that I
15 would ask. But I guess the biggest question is, where
16 can I go to find answers, since no one is going to be
17 prepared to give answers tonight?

18 Such as, I'm curious about the details of what is
19 going to be discharged, and what the concentration of
20 pollution it is.

21 What is currently being done with the water that
22 is proposed to be dumped into the Big Muddy?

23 Has the work on the pipeline already begun? When
24 do you expect a decision to be made?

1 Perhaps one of the biggest ones is how is it
2 anticipated that the water level is going to be impacted
3 by the discharge of two million gallons of water and
4 pollutants into it?

5 Anyone that has seen the Big Muddy knows that it
6 is not a pristine stream to begin with. And the banks
7 are, in many places, mud covered. So they don't make
8 for easy access in or out, except at certain points
9 along the river.

10 So how this is going to impact it has a real
11 direct concern for the members that are using that. We
12 have over a thousand members in our canoe and kayak
13 club. We don't all certainly use the Big Muddy, but it
14 is something that is going to be of grave concern to
15 those that do use it.

16 MR. BRENNAN: Thank you.

17 MR. THOMAS: Thank you.

18 MR. BRENNAN: Thank you very much, Mr. Thomas.
19 The next person that signed is Charles DuBose. Did I
20 say that correctly, sir?

21 MR. DUBOSE: It's DuBose. My name is Charles
22 DuBose. I'm a retired technical engineer. I'm
23 currently licensed as a professional engineer in
24 Indiana, Illinois, Wisconsin, and I'm also a licensed

1 water well contractor in the State of Illinois.

2 I own property in Williamson County that has been
3 and will be subsided by Permit 375, Revision 9.

4 I'm making comments tonight, primarily as a
5 property owner and a concerned citizen.

6 Tonight, unless I state otherwise, when I refer
7 to "the permit" or "pending permit," I'm referring to
8 proposed Permit 456, which is for the construction of a
9 12.1 mile pipeline, which will extend from Pond Creek --
10 the Pond Creek Mine to the Big Muddy river.

11 In my review of the permit application, I saw in
12 part 3, page 7 of the permit application, the following
13 was stated: The total daily quantity of mine
14 infiltration water required to be pumped out of the mine
15 is approximately 2,700,000 gallons per day. An
16 estimated maximum flow of infiltration water from the
17 mine is approximately 3,500,000 gallons per day.

18 The same referenced paragraph also indicates the
19 following: The infiltrating ground water from the
20 saline zone and the chloride and sulfide content of the
21 water typically exceeds the water quality standards
22 allowed to be discharged in the receiving waters.

23 It also states that the average concentration of
24 chlorides is 2,237 milligrams per liter. The average

1 sulfate concentration they give is 1,940 milligrams per
2 liter.

3 For a point of comparison, I found Bulletin B74,
4 prepared by the Illinois State Water Survey Institute,
5 University of Illinois at Urbana/Champaign, entitled
6 Sources Distribution and Trends of Chloride in the Water
7 of Illinois. It was authored by Walter R. Kelly,
8 Sammuel Panno, and Keith Hackley. It was dated March
9 2012.

10 This document, or bulletin, provides a median
11 value of chlorides obtained at Station 5599500 on the
12 Big Muddy River in Murphysboro of 31 milligrams per
13 liter.

14 The permit application also states that the Big
15 Muddy has a relatively low flow at times of the year.
16 And they give a number of 30 cubic feet per second. The
17 pipeline in the application is indicated to have a flow
18 of 11.1 cubic feet per second.

19 Assuming that the rates of Big Muddy and the
20 pipeline are combined, that would yield a flow rate of
21 approximately 41.1 cubic feet per second.

22 Therefore, approximately 27 percent of the
23 combined flow would consist of high sulfites and high
24 chlorides water.

1 Further assuming that the chloride has a
2 concentration of 2,237 milligrams per liter, then the
3 blended chloride concentration of the combined river
4 would be approximately 604 milligrams per liter.

5 Review of the previously mentioned bulletin, B74,
6 the United States Environmental Protection Agency
7 recommends a chronic criteria for aquatic life of a
8 four-day average CL concentration of 230 milligrams per
9 liter, with the occurrence interval once every three
10 years. This was based on U.S. EPA in 1988.

11 The recommended acute criteria for the chlorides
12 is 860 milligrams per liter, which relates to one hour
13 average concentration with the recurrence of less than
14 once every three years.

15 The bulletin also talks about chlorides in the
16 ground water. And they said that once the chlorides and
17 other contaminants get into the grounds water, they
18 persist for years. And then in a study, they said in
19 Toronto, if they stopped using salt on the street, it
20 would take decades to return to the pre-1960 levels.

21 In the permit application, it goes onto my
22 property, which is Permit 375 Revision 9. On the permit
23 record, page 000509, states the following, quotations:
24 During mining, water will be pumped to the surface,

1 potentially increasing the surface water quantities, but
2 only marginally; based on the receiving streams size.
3 Since the quantity will only be marginally increased
4 during the mining, any effect on the quality will be
5 small. End quotations.

6 So you know, they give an example, you might
7 increase the flow by a third. I wouldn't call that
8 small. I would say that's significant.

9 While this disposal of high chlorides water seems
10 like a new problem, it really shouldn't be. Before -- I
11 believe before 2013, the sister mine of the Pond Creek
12 Mine, which is the Sugar Camp Mine had a high chloride
13 water problem.

14 And they eventually got a compliance commitment
15 agreement or a CCA, with the Illinois EPA. But in
16 this -- when they were trying to work out the agreement,
17 they had a letter that was sent from the Sugar Camp Mine
18 to the IEPA.

19 It's dated April 22, 2014, and they state the
20 following: As part of the mining operation, native
21 ground water is produced from overlying sandstones when
22 the long well sections collapse, allowing high chloride
23 water from the sandstone units to enter the mine.

24 Presently, the mine is generating 1.5 to 2.0

1 million gallons per day of high chloride water. So they
2 had 1.5 to 2 million gallons of high chloride water.

3 They couldn't handle it. They wanted to get a
4 mixing zone. So years later, it's a big surprise to
5 find that the creek has 2.7 million gallons and they're
6 not handling it.

7 It was my understanding that the Sugar Camp Mine
8 attempted to get a mixing zone at that time and were
9 turned down. The solution was, or their compliance was
10 that they were going to drill two injections wells. I
11 believe they were about 10,000 feet deep.

12 And they were going to set up a reverse -- a
13 couple of reverse osmosis plants, filter the water, take
14 the contaminants, inject them in the well, take the
15 particulate, mix it with some of the water from the RDA,
16 and then put it in. As long as it met standards, then
17 they were going to pump it in the river.

18 So I also, in the permit application, they have a
19 section that's called hydrological balance. And it's
20 found in part 3, page 7.

21 And bullet 2, they describe different areas that
22 are in the hydrological balance, as they call it. Area
23 2 is currently permitted for permit -- let me look back.

24 So bullet 2 states: Area 2 is currently a

1 permitted area for Permit 375, which is contiguous to
2 the Permit 417 permit area, and is 554.94 acres of the
3 703.3 acres, and consists of a deep mine opening
4 preparation plant coal refuse disposal and associated
5 structures.

6 Well to me, it would seem like to do a
7 hydrological balance, you look at the area you're
8 mining. And you would take all the panels -- now that's
9 certainly a lot more land than 700 acres.

10 You know, 700 acres is 1.1 square miles. And
11 these things go for that. But the real hydrological
12 balance would seem to be, you're pumping 2.7 million
13 gallons of water here, and you're pumping it out here.
14 And that's really -- I didn't see that addressed.

15 Additionally, getting back to Permit 375,
16 Revision 9 which flows onto my property, page -- the
17 permit record, page 000510, clearly states the
18 following:

19 The soil thickness is generally 5 to 20 feet.
20 And the minimal thickness of the consolidated overburden
21 between the mined coal and the bottom of the deposits
22 ranges from 430 to 520, for panel 7 through 12.

23 And I actually went and requested a hearing in
24 Springfield and sat in front of the IDNR, and took the

1 coal mine's own records and showed that on my property,
2 the depth of the area number 6 coal seam below portions
3 of Brushy Creek was approximately 200 feet shallower
4 than was alluded to by the coal mine.

5 And by it being shallower, it has a more adverse
6 affect on the ground water table and on my ponds. Both
7 my ponds were mined under. They're almost dry. My
8 well, I can't check it, and the coal mine hasn't
9 volunteered to check it. But I know it's dropped over
10 40 feet. I assume it could be dry.

11 And it isn't even in the panel. It's under the
12 entryway. So it could be worse if it was located, you
13 know, 50 feet to the north.

14 Title 62, Chapter 1, Part 1817, Permit Program
15 Performance Standards, Section 1817.14, hydraulic
16 balance protection requires the coal mine to monitor
17 surface water and water wells on a quarterly basis.

18 Now I had Dan Barkley check my ponds and confirm
19 that they're next to dry. He assumed my well was dry.
20 But he said there was no obligation to check the water
21 well.

22 Well, if they want to really know what the
23 hydraulic balance is doing to an area, it's important
24 that private wells are checked to determine what the

1 water tables doing.

2 The permit application says, they assume the
3 water is going to drop slightly, return in a few months,
4 and you'll have more water than you did before because
5 it's fractured. And I haven't seen any of that.

6 So that's those are my main comments.

7 MR. BRENNAN: Thank you, sir. The next
8 individual on the list is Corina Lang.

9 MS. LANG: Wow. I get to follow that. Yeah. I
10 feel woefully ill0prepared. I know that this meeting
11 took place because Charles asked for it to take place.
12 Otherwise, I would have no idea this was happening.

13 I live in Union County. And again, woefully
14 ill-prepared; no notice. I'm really disappointed that
15 the public isn't given adequate time to prepare and
16 respond to an issue that will affect them in many ways,
17 regardless of what we're told might happen.

18 I moved to Southern Illinois in 1974 as a college
19 student. I earned a Bachelor's degree in zoology from
20 SIU. I worked as a field naturalist on the Shawnee
21 Wilderness Evaluation Project.

22 I have a lifelong interest in environmental
23 issues. I worked as a citizen scientist for EcoWatch.
24 I evaluated the stream behind my home for many years.

1 And I've -- what I've learned the most is how delicate
2 and fragile all ecosystems are; but especially aquatic
3 ecosystems.

4 And there's no way enough research could have
5 been done to show we're not doing irreparable damage to
6 our water systems here.

7 I've spent a lot of time around the Big Muddy, on
8 the Big Muddy. It's one of the wildest places we have
9 left in Southern Illinois. It winds through some of the
10 wildest places we have left in Southern Illinois.

11 Recently, three species that were put on the
12 endangered species list have shown to be viable breeding
13 populations; the gray wolf, the black bear, and the
14 mountain lion.

15 Now I don't have research, and I can't tell you
16 that those species are actually in place in those areas.
17 But if they're coming back, that's where they're going
18 to live.

19 And who knows what other species might be out
20 there. I know the redheaded woodpecker are really in
21 trouble and declining. And that's one of the areas
22 where you can find them routinely, continuously.

23 If we have any expectations of the hellbenders
24 returning to the rivers in Southern Illinois, that's

1 where they will come in. Or the alligator snapping
2 turtle -- considered possibly extinct, nobody even
3 knows -- in the State of Illinois. If they're coming
4 back, those are the places they're going to come to.

5 And then we're going to be adding toxic chemicals
6 to the water and not having any idea what it can do to
7 those species; the amphibians and reptiles that are
8 connected to those waterways, living in the forested
9 areas around them.

10 I'm just really disappointed. And I have been to
11 many of these hearings. And what I want to keep saying
12 is, why should we have to prove that it's unsafe? You
13 need to prove to us to that it is safe.

14 And some people shouldn't have to suffer or die
15 so that other people can have energy. How can that ever
16 make sense? How did anyone ever think that that made
17 any sense?

18 And I want to go on record, as being a resident
19 of Southern Illinois, who feels like this is wrong; and
20 I want to see more assessments and environmental impact
21 statements done.

22 And I do appreciate being able to address you
23 today. And I would hope that in the future hearings,
24 there's much more notice given so that we can have more

1 people represented from this area. Thank you.

2 MR. BRENNAN: All right. Next person that signed
3 in was Cade Bursell. Did I say your name correctly,
4 ma'am?

5 MS. BURSELL: Yes. Very good. I have to also
6 say that how I found out about this meeting was through
7 e-mails. And I find that very disconcerting.

8 I also then saw a copy of what was posted, I
9 believe, in the Southern Illinoian. And I would not
10 have known what the content of this meeting was about by
11 looking at that posting.

12 I don't know what the regulations are, but I hope
13 to look into what the regulations are for posting these
14 kind of meetings, because it seemed like they needed to
15 be made more public.

16 I'm sure a lot more people would be here had the
17 postings really been made more public about this issue.

18 I live in Murphysboro, Illinois. I live near the
19 Big Muddy River. The Big Muddy River overflows
20 frequently. So when we try to get into the town of
21 Murphysboro, we have to do it a different way. I know
22 whatever happens to the Big Muddy River, it affects
23 numerous people who try to make their way into
24 Murphysboro and elsewhere.

1 Where I live, I have the privilege of living on
2 25 acres that butts up to the Shawnee National Forest --
3 excuse me, 35. It's a beautiful place. I just feel so
4 happy to be living there.

5 And there's a creek that flows through my
6 property -- or the property that I live on -- called the
7 Lewis Creek. The source of Lewis Creek is the Big Muddy
8 River.

9 When I think of the high chloride and sulfate
10 levels that seem to be -- what is going to be flowing
11 into the Big Muddy at high levels, and I think of that
12 then following that creek down onto my property; and I
13 think of everyone who lives there, my hiking back there
14 with my dogs, all the wildlife that I see living there,
15 it really concerns me.

16 And I know the property owners next to me, if I
17 told them this was happening, would also be very
18 concerned. Because it's really very unclear how much
19 chloride and sulfate will be entering the river and what
20 the long-term consequences of this action will be.

21 As it is -- I just thought I would look this
22 up -- the Illinois Department of Public Health already
23 has a mercury advisory for common carp, crappie, and
24 largemouth bass in the Big Muddy River. It already has

1 an advisory for PCB contamination for common carp in the
2 Big Muddy River.

3 High chloride and sulfate levels are detrimental
4 and affects the mussels in a negative way. We're going
5 to add more, and we're going to add something to the Big
6 Muddy River that is going to cause harm on top of what
7 already is there?

8 The Big Muddy River already is challenged. I
9 don't even know why we're thinking about this as a
10 possibility.

11 The Big Muddy River, as we all know, feeds into
12 the Mississippi River. What's at the end of the
13 Mississippi River? Do you know what's there? A dead
14 zone. It's already a dead zone. Nothing lives at the
15 end of the Mississippi River.

16 Adding chloride and sulfate will just increase
17 that dead zone. We do not need to be doing this kind of
18 work here. We do not need to be adding to this kind of
19 problem.

20 I looked at the reclamation budget. It is
21 \$21,500. So let's talk about reclamation.

22 If I wanted to think about the value of those
23 that are harmed by this project, if I wanted to think
24 about the value -- so the value of those that are

1 harmed, but also the value associated with those people
2 who are traveling along the Big Muddy in their kayaks.
3 There's that kind of recreational value.

4 There's the value of people who fish. There's
5 the fish themselves that enjoy living -- I would think
6 enjoy living there. There's value associated with that.

7 So to just spend \$21,500 on reclamation means
8 that you're discounting the issues of all of the things
9 I've just named.

10 You are affecting kayakers. You're affecting
11 people who fish. You're affecting the ecosystem itself.
12 If you're going to do that, if you're going to build
13 this -- what is it called? It's a pipeline at the end
14 of it.

15 MR. DUBOSE: Diffuser.

16 MS. BURSELL: Diffuser. Yes. If you're going to
17 build this pipeline and pay 21,000 -- only 21,000 for
18 reclamation, that seems like you're not taking into
19 consideration all the other damage and consequences that
20 will be as a result of this, of building this. That
21 figure needs to be huge, in comparison.

22 And the last thing I'll say is this river a
23 public river. And I, for one, think that having a
24 private corporation using it for water treatment is a

1 real problem. I don't understand why, since this
2 company seems to be doing well, why a water treatment
3 plant onsite cannot be used.

4 A corporation is responsible for what it does.
5 And so therefore, it should have to deal with the
6 consequences of its actions. It shouldn't be allowed, I
7 think, in this case, to affect a public water way.

8 This water way belongs to us. That's all I have
9 so say. Thank you.

10 MR. BRENNAN: Thank you, ma'am. Next person
11 signed into speak is Cameron Smith.

12 MR. SMITH: Hello. I'm Cameron Smith. I also
13 live in Murphysboro. I have land that, it's not a
14 matter of when or if it floods; it does flood every
15 year.

16 It is the old Douglas school. So it is historic.
17 And it is in the lower of part of town, and then there
18 is -- adjacent to it is HUD housing. So there's a lot
19 of kids in the neighborhood. And so the water, when it
20 does come up, they like to get in it.

21 And that is a concern. I guess I'm concerned
22 about what's in the water, and what it will do to our
23 land that we pay taxes on.

24 And in May 3rd of 2011, the Big Muddy ran 40 and

1 a half feet above the crest. And at that time, I
2 measured, and I spent eight days pumping out water in
3 the basement, keeping it as dry as I could. And it was,
4 like, 20 inches above the historic building.

5 So that's my concern, and what the value. And I
6 just heard about this meeting, so -- anyway. Thank you.

7 MR. BRENNAN: Thank you, sir. Next person to
8 sign in was Joyce Blummenshine.

9 MS. BLUMMENSHINE: Thank you very much, Hearing
10 Officer. Good evening. I appreciate the time for this
11 session.

12 My name is Joyce Blummenshine. I'm a volunteer
13 with Illinois Chapter Sierra Club. The Sierra Club's
14 motto is to protect the environment for our families and
15 our future.

16 We value the difficult work that IDNR does to
17 protect our environment and to be sure the mining
18 regulations are fully enforced. And we appreciate,
19 number one, for all mining concerns, is the safety and
20 wellbeing of the miners.

21 Clearly, there's a huge problem here. This
22 problem is not the public's problems. It is the mine's
23 problem.

24 On the Foresight Energy website, it made clear

1 that the Pond Creek Mine was the highest producing coal
2 mine in the entire United States for several years
3 around 2015.

4 And then again, in 2017, according to the
5 Foresight Energy website, again, Pond Creek Mine was the
6 highest producing mine.

7 There are billions of dollars of profits from
8 this mine, thanks to the hard work of all the staff and
9 miners and engineers, and the work of IDNR.

10 But this mine is responsible for the safety of
11 the miners, and whatever it takes to ensure that.

12 So we are concerned, on numerous levels, that the
13 costs of continuing to do business at Pond Creek Mine
14 are going to be shifted to the environment and the
15 public.

16 Because who knows, as climate change continues to
17 accelerate, what the waters of the Big Muddy River will
18 be needed for.

19 If these hugely high levels of chlorides and
20 sulfates go into the Big Muddy for the convenience and
21 continued operation of Pond Creek Mine, downstream
22 users, whether it's public water needs, fish supplies,
23 whatever, will pay the cost. Whether it's in water
24 treatment, death of fish or mussels, or other problems.

1 Even sulfites are known problems for livestock.

2 What we have here is concern of comments
3 [phonetic]. The comments are those things, such as air,
4 water, we all need that are held in the public trust for
5 us now -- not for us now to squander, but for us now to
6 use wisely for future generations.

7 It behooves the IDNR now to ensure that this mine
8 operates safely; but that they do every best due
9 diligence on their own to show why they cannot find
10 other solutions than to dump this into the Big Muddy
11 River.

12 In my reading -- and I'm not a technical person.
13 But in my review of this application as posted on the
14 IDNR website, I see a complete lack of proof of any kind
15 of critical analysis or other alternatives that dumping
16 this water into the Big Muddy.

17 Mr. DuBose mentioned other treatments have been
18 done; osmosis, deep-well injections, who knows what else
19 can be done.

20 Maybe Pond Creek Mine should no longer longwall
21 mine, but should do room and pillar. I don't know. I'm
22 not an engineer.

23 But if they can room and pillar and not have as
24 much water, or be able to control it more; is that an

1 option? I don't know. Has IDNR studied the other
2 options? That's not your job. That's the mine's job.

3 I hope, number one, at least IDNR require the
4 mine to show specific evidence of assessments of
5 alternatives; costs and the timelines, how much chloride
6 and sulfate can be reduced.

7 Because the delusion solution dumped on the backs
8 of the public, dumped in the public waters of the United
9 States, is not acceptable.

10 I have some questions about this pipeline and the
11 diffuser. I realize that staff will not answer that.
12 And I must just express my personal dismay, having been
13 advocate for the environment and helping communities
14 facing coal mines for almost 30 years now -- that shows
15 my age.

16 But, anyway. At one time in the past, IDNR staff
17 answered questions. Now we didn't always like what we
18 heard, but at least there was some question/discussion.

19 The public felt that they had a chance for give
20 and take. That is seemingly now gone under the current
21 administration, and that is a great loss.

22 And it is my limited understanding on the federal
23 surface mining reclamation and enforcement regulations
24 that citizen participation in coal mining permits and

1 the permit processing in reviews, that we are a part of
2 that; that it was intended that we be a part of that.
3 But my understanding was that, you know, that there
4 should be some response.

5 So seeing your responses written in your approval
6 for the permit at some point doesn't quite cover the
7 bases in my personal opinion. Because by then, it's a
8 done deal.

9 And from the recently permitted improvements,
10 I'll just make a comment. A lot of them say -- maybe
11 that's not pertinent. So anyway, I'll continue on as
12 quickly as I can.

13 I did have a question regarding the location of
14 the pipeline and the diffuser station. I couldn't
15 exactly tell where it is on the Big Muddy, but there's a
16 gauging station that appears to be north of where this
17 pipeline and diffuser is in Franklin County.

18 Is that by intention, so that this discharge of
19 millions of gallons of water will be below the closest
20 gauging station? There's already concerns for flooding
21 for the Big Muddy, and there's already concerns for low
22 levels of the Big Muddy.

23 Just by way of exhibit, from the IDNR's own
24 website, these are the memos from director Wayne

1 Rosenthal, several from 2017 and one from 2015; I would
2 like to turn in an Exhibit 1.

3 These are conditions on the Big Muddy River in
4 Franklin, Williamson, and Jackson County. Hazardous
5 navigation, so restricted boating. IDNR, on its own,
6 has had to stop recreational use on the Big Muddy due to
7 high water.

8 As has been asked before, what consideration has
9 your department given to what all these millions of
10 gallons are going to do on the public's right to use
11 this river? Thank you, Mr. Hearing Officer.

12 Big Muddy has historical significance, as
13 mentioned before. My Exhibit 2 is freshwater mussels of
14 the Big Muddy River. It is an Illinois natural history
15 survey technical report from 2012. And it's also
16 prepared for the Illinois Department of Natural
17 Resources.

18 In this over 30-page review, it talks about
19 different kinds of important freshwater mussels that
20 live in the Big Muddy River.

21 Now those are important to the entire ecosystem,
22 and mussels are key for the health of the river, and
23 they are sensitive to chlorides.

24 And it didn't mention sulfates here. But again,

1 the reproduction of fish, mussels, and other aquatic
2 species, including the insects that are critical for
3 fish in the ecosystem, are impacted by the pollutants
4 that the mine intends to discharge.

5 Now, maybe I missed it. And I do apologize if I
6 did. But I didn't see any clear assessment of the mine
7 assessing what are the current chloride and sulfate
8 levels in the river; and what, after they add all this,
9 will it be -- not only at their diffuser point, but
10 downstream. And what are the impacts on all these
11 different species.

12 So this lists the mussels of concern. And I will
13 turn that in as Exhibit 2. Thank you.

14 Another important concern for the Big Muddy is
15 fishes of the Big Muddy River drainage, with emphasis on
16 historical changes. It's an article from the Department
17 of Zoology, Southern Illinois University.

18 This was done in 1992. It's a little bit dated.
19 It talked about the importance of the Big Muddy River as
20 one of the main areas for native fishes, at least as of
21 1992. I realize a lot has changed since then.

22 But it lists many, many species of concern for
23 fish in the Big Muddy. So I turn that in because I
24 would hope IDNR has done a full consultation with the

1 other divisions of your agency.

2 And that maybe more work should be done on that
3 to really assess, not just for the purposes of five
4 years or 10 years of this permit, but long-term, what is
5 the cumulative effect of all this pollution on the
6 entire Big Muddy River.

7 This is my Exhibit 3. Thank you, Mr. Hearing
8 Officer.

9 I'm not a scientist. I'm a volunteer for
10 citizens' environmental concerns.

11 But I did see that chlorides, in a publication by
12 Illinois EPA of 2018, concerning the Mississippi River,
13 upper Dresden Island pool up by Rock Island.

14 They were looking at concerns for chloride in the
15 Dresden pool for the health of the Mississippi. And as
16 was mentioned before, Big Muddy goes into the
17 Mississippi. A lot of money has been spent on cleaning
18 up the Mississippi.

19 Then came that board that was looking at levels
20 for the Dresden pool in the Mississippi. It says here,
21 the board adopted a year-round single value of 500
22 milligrams per liter chloride. That is way below the
23 chloride levels of what Pond Creek Mine is intending to
24 dump in the rivers.

1 So there are documentations out there that what
2 is happening and being proposed here is totally not
3 acceptable.

4 My last exhibit is No. 4 from the University of
5 Rhode Island, College of Environment and Life Sciences.
6 The title is Chlorides in Freshwater.

7 I used this one from the University of Rhode
8 Island because I couldn't find one from Illinois
9 anywhere. Maybe I missed it.

10 I just wanted to mention this for the record.
11 High chloride concentrations -- and I'm reading directly
12 from the document -- in freshwater can harm aquatic
13 organisms by interfering with osmoregulation; the
14 biological process which they maintain the proper
15 concentration of salt and other solvents in their body
16 fluids.

17 So that said, it can hinder survival, growth,
18 reproduction. And they set an acceptable chloride level
19 for freshwater organisms an 860 parts per million to
20 prevent acute exposure effects; and 230 parts per
21 million to prevent chronic, long-term effects.

22 Again, this is way, way below the levels that the
23 mines are intending to put in.

24 Also, the previous speaker talked about concern

1 for eutrophication; that is the dead zone example of
2 what too much chloride does with killing the -- the
3 certainly small crustaceans and natural aspects of the
4 ecosystem that prevents nitrification, which causes the
5 dead zone.

6 I will hand this in as my last exhibit. Thank
7 you.

8 Pond Creek Mine has expanded. And of course,
9 they own their coal rights. And coal is important for
10 the profits of the corporation.

11 But we know in this day and age that coal is not
12 the only source for energy, and that we, as a society,
13 are responsible for transitioning from high-carbon fuels
14 to a sustainable future, for now and for future
15 generations.

16 If we pass two degrees climate increase, our
17 planet is in dire circumstances for future generations.
18 I realize that that is not the probably written
19 regulation guidelines for IDNR; certainly not a concern
20 for the coal mines.

21 But it is a concern for most other people. And I
22 leave you with this thought; that if regulations cannot
23 be enforced, that corporations pay their business costs
24 to operate, then we are all at fault, and the future

1 will suffer.

2 And I ask the IDNR to deny this permit. If you
3 cannot deny it, then there are at least many
4 modifications and other answers you should ask for from
5 the mine before any more steps can be taken towards this
6 proposal. Thank you.

7 MR. BRENNAN: Thank you, ma'am. Next person that
8 signed in is Jean Sellar. Am I saying that correctly?

9 MS. SELLAR: Thanks to the DNR for arranging this
10 public meeting and allowing us to meet with you.

11 I'm a retired biologist who specialized in
12 restoration management of natural areas. I'm also an
13 avid canoeist and kayaker on the Big Muddy. I really
14 don't live very far for it.

15 I am concerned about a number of things in this
16 application, and I sincerely hope DNR denies it. The
17 hydrologic analysis provided by the mining company is
18 designed to obscure rather than to reveal the effects on
19 area water tables.

20 What is the actual cone of depression created in
21 the local water tables by the pumping out of 2.7 million
22 gallons daily from the mine?

23 I'm also concerned about the other end; what is
24 the addition of a third, again, as much water going to

1 do to the quality of the water in the Big Muddy?

2 And it's not just any water, but water that's
3 grossly contaminated with chlorides, which are known to
4 be detrimental to aquatic organisms.

5 The main point I want to make is that there are a
6 number of sensitive, rare, threatened, and endangered
7 species downstream in the Big Muddy River and in its
8 floodplain.

9 It flows through the LaRue-Pine Hills area, known
10 to be one of the most biologically diverse places in the
11 Midwest. It's internationally famous. People come from
12 all over the world to walk the snake road and to hike
13 within the LaRue-Pine Hills.

14 If anything, I would like to see an analysis of
15 the effects of every single one of those species that
16 are listed by DNR. You have the right to ask for
17 consultation, I believe, on those species. It should be
18 done. There are a number of them.

19 One of the other ladies mentioned the alligator
20 snapper turtle as being a species of a concern. It is
21 not extinct in Southern Illinois, but it was well on its
22 way.

23 It is now increasing the population, due to
24 breeding and reintroduction programs. It is an

1 inhabitant, or wants to be an inhabitant of the Big
2 Muddy River. Eating fish that has that high chloride
3 levels is not going to sit well with it.

4 I'm also concerned about possible "solutions" --
5 that's with parens it, or apostrophes, whatever. For
6 example, a water treatment plant solves half of the
7 problem. It does not solve the hydrologic problems.

8 So I hope IDNR will take all of those things into
9 consideration. And unless the mining company solves all
10 of its problems within its own property and does not
11 affect public land, I hope you deny it. Thank you.

12 MR. BRENNAN: The next person to sign in is was
13 Lucia?

14 MS. AMORELLI: Lucia.

15 MR. BRENNAN: Am I pronouncing that correctly?
16 Lucia Amorelli?

17 MS. AMORELLI: Lucia Amorelli. Thank you. I,
18 too, want to say I'm disappointed we do not get our
19 questions answered. I have been to these hearings
20 before in the past where they did answer questions.

21 So my first question is -- I believe the
22 attorneys said that the questions will be answered on
23 the IDNR website. Where would you find that at on the
24 website? Because it's hard to find things on websites

1 sometimes.

2 MS. OAKES: That is a very good question. In the
3 last public hearing that we did, the process that went
4 was all of the -- we got the transcript, all of the
5 questions came in from that.

6 Then there was the 10-day period for the written
7 questions. Then we took all those and compiled two
8 different sections.

9 And then they went out to each individual
10 department for answering, say, the hydrological
11 questions. And the proper people were addressing those.

12 And I know that they were published on the
13 website in relation to that public hearing and that
14 renewal.

15 But I can't tell you exactly where it is on the
16 website, unfortunately, because I don't go there to look
17 for it. So any reference --

18 MS. AMORELLI: If somebody up here can tell me.
19 Because I want to be able to find the answers without
20 having to search everywhere.

21 MS. OAKES: Right. Well, your participation here
22 today will get you the same thing sent to you, based on
23 the fact that you have stepped forward today and
24 participated in the comments. It is my understanding

1 then you receive notice of the findings.

2 MS. AMORELLI: But for other people that aren't
3 here.

4 MS. OAKES: I wish I could address that better
5 for you.

6 MR. HAMILTON: Give me just a --

7 MS. AMORELLI: Well, when you guys figure it out.

8 MR. HAMILTON: We'll let you know.

9 MS. AMORELLI: By the end of the evening, would
10 be good. And that would be after the 10 days,
11 obviously. So it would be maybe a month from now?

12 MR. HAMILTON: Realistically in that
13 neighborhood, yes.

14 MS. AMORELLI: Okay. So my name is Lucia
15 Amorelli. I'm from Jackson County. I live a few miles
16 from the Big Muddy, and I do a lot of hiking and
17 bicycling around that area where the Big Muddy is,
18 around Kincaid Lake, LaRue-Pine Hills, that whole area
19 over on the west side of Southern Illinois.

20 And I also grew up in Central Illinois, where I
21 used to fish for catfish in the creek near my dad's.
22 And it is dead. It has been dead for a long time now.

23 There is no catfish it's surrounded by the big
24 farms out there with all the runoff from the

1 fertilizers. It's killed all the creeks, so there is no
2 fishing in Central Illinois.

3 So I don't want that to happen to the Big Muddy,
4 because that's what's going to happen if we keep dumping
5 things into it.

6 So that's my question, or statement today.
7 According to the 2004 Illinois EPA study, the Big Muddy
8 River -- and I know this is a little dated. But the Big
9 Muddy was already considered contaminated then, with
10 elevated phosphorus sulfates and manganese -- manganese.
11 Am I saying that right?

12 The latter two are attributed to abandoned coal
13 mines in the area. And in this study, it was reported
14 that up to \$2 million was going to be spent on just
15 trying to clean up the area, just around Kincaid Lake.

16 My question is then, one, why would IDNR or the
17 EPA allow a mining company to dump water with elevated
18 levels of chloride or sulfates that will further pollute
19 the Big Muddy -- which we've already heard from other
20 people, it is still polluted? That's my first question.
21 Why would we pollute it more?

22 And two, has IDNR and the EPA been successful yet
23 in cleaning up the pollution that was already caused by
24 the old mines?

1 There were hundreds of abandoned -- I forgot the
2 number how -- hundreds of abandoned mines that are
3 leaching stuff into the Big Muddy. So has that even
4 been addressed yet? I would like that question
5 answered.

6 And in closing, as an Illinois citizen, I believe
7 it's one of our constitutional rights for a healthy
8 environment in Illinois.

9 So I demand that an assessment be done before
10 there's any permit being granted. Or better yet, as
11 other people have said, deny the pipeline.

12 Because IDNR, you know that this is not
13 acceptable. You know that this is not healthy for the
14 environment. And it's going to cause pollution.

15 Your job is protect our natural resources. Why
16 would you even allow this to happen? That's my comment.
17 Thank you.

18 MR. BRENNAN: Thank you, ma'am. Next person to
19 sign is in Carla Womack.

20 MS. WOMACK: Hello. Most everybody has said
21 really great things. I'm not very technical. I'm a
22 newcomer to Southern Illinois.

23 My husband and I moved down from Northern
24 Illinois about three years ago. We love where we live.

1 We live south of Murphysboro on the wine trail.

2 It's a beautiful place. We hike, we walk the Big
3 Muddy, which is nearby -- there's a creek that is close
4 to us as well that's flooded several times since we've
5 been here.

6 In Northern Illinois, I lived in Aurora very near
7 the Fox River. I don't know if you guys are familiar
8 with that.

9 Just in hearing all the comments about the
10 chloride and the sulfates, and all of the contamination;
11 when I was little, the Fox River was horrible. People
12 did not fish there. There was tires and stuff and junk
13 floating in the river.

14 The factories north of where we were dumped a lot
15 of yuck, from what I remember. And my first experience
16 with environmental issues was the Fox, who was a person
17 who nobody -- well, I didn't know about him. But he
18 went around and did, like -- padlocked doors and stuff.

19 But anyway, the IDNR, the EPA, whoever, was
20 helping a child in the 50s, from then until probably the
21 late 80s -- cleanup had happened. And when I moved away
22 from there, people were fishing and eating the fish, I
23 think; which never would have happened earlier.

24 So I certainly don't want to see the Big Muddy,

1 which is muddy, is not the cleanest of rivers. However,
2 to make it be worse is not something that any of us want
3 down here.

4 I would just hope that the permit process,
5 however it goes, is examining those issues more. And
6 the water treatment plant on the site of the coal mine
7 sounds partially an option. But I appreciate that.

8 And just take care and caution to ensure that we
9 are not exposed to much more pollution and bad chemicals
10 that what we are. Thank you.

11 MR. BRENNAN: Thank you, ma'am. The next person
12 to request to speak was Georgia Delagarza.

13 MS. DELAGARZA: Correct. Yes. Georgia Delagarza
14 here. I'm a local gal here, a Cherokee; raised every
15 day of my life in the forest.

16 I grew up on the Big Muddy River. My family had
17 a farm on the Big Muddy. We lived in town, but my dad
18 wanted us to have that experience. He was a very
19 well-known outdoorsman in the Midwest.

20 I can tell you growing there, we canoed. We had
21 a rope on a tree. We jumped in the river. We swam that
22 river. We canoed that river. We hunted, we fished, we
23 gigged on that river.

24 And as I come back today, doing water blessings

1 as a Cherokee, I see a great depletion in the Big Muddy.

2 But I also want to tell you that I have an
3 organization called the Shawnee Hills and Hollers. I'm
4 a community organizer. I work with communities there on
5 the front lines. I was an organizer for Rocky Branch.

6 I'm sure IDNR knows that. We ended up in front
7 of a judge there, after you guys signed off on permits
8 to take out a thousand acres of 200-year-old woods,
9 depleting bald eagles, golden eagles, and the Indiana
10 bat -- an incredible species -- and the all other
11 artesian wells and wetlands and the community completely
12 destroyed.

13 Ponds drained, chickens won't lay eggs, people
14 lost their hair, women fell and broke their hips,
15 they're in nursing homes now. A man who was a
16 generational farmer laid down and just passed away. He
17 couldn't take it anymore.

18 And I work in the community. I work with
19 Washington University students. I have for about five
20 years. And we've done extensive EPA projects. Shame on
21 you guys. Shame on you guys.

22 We see these violations. We double check with
23 the permits, who signed off. You guys know how Southern
24 Illinois is. We have the highest rate of childhood

1 cancer in our nation right now. We have 10 cases of
2 children with one of the rarest form of cancer in
3 Southern Illinois. Right here. Not too far from here.
4 Surrounded by coal mines.

5 I take students on tours to these coal mines that
6 are left.

7 Let's talk about Will Scarlet in our woods, how
8 toxic that is there.

9 And you guys, it was dumped in your lap, and you
10 had to make a little park out of it for fishing. And
11 it's full of mercury ponds. It full of aluminum ponds.
12 It's full of heavy metals.

13 Just as you drive down road, especially when it
14 rains, it's comes over the road, like an orange glow.
15 Reminds me of our current administration.

16 So you know, I don't have much faith in you all
17 here. You know, you didn't publicize this very well.
18 You're going below the gauge. There's no studies -- not
19 proper studies.

20 And we're supposed to come here and make these
21 comments, and hope that you listen to us. You know,
22 we're not going to be pushed by the propaganda that we
23 have to worry about our coal miners' jobs; you know,
24 that it's the regulations.

1 We're producing just as much as coal today as we
2 were in the 80s with a lot less coal miners. And it's
3 not because of the regulations, it's because of the
4 mechanization.

5 And we're exporting our resource out of Southern
6 Illinois and our resource wealth. And you're leaving us
7 here sick. It's not the burning of the coal that's
8 killing us here; it's the extraction and the water that
9 you're leaving us.

10 I had a guy from Magnum Photo come in. They
11 spent a lot of money. We helicoptered all over the
12 place. Of course, we went down the Big Muddy River.

13 We've seen the tributaries going into the all the
14 waterways. We are a massive watershed here.

15 You know, coal is not our best resource in
16 Southern Illinois. Our water is our best resource in
17 Southern Illinois.

18 When climate change happens, what's going to
19 happen? People will converge on waterways. If we don't
20 have our water, how are we going to live? How are we
21 going to survive as human beings? Have you thought
22 about that?

23 No. You cannot allow an industry that's taking
24 all of our money out of state, all of our resources out

1 of state, and leaving us with polluted water.

2 That's our water. That's our water. That's our
3 life. Water is living. Yes, it's intelligent. Yes, it
4 has memory.

5 Yes, one day, I have faith -- not in my time, not
6 in my children's time, and not in my new granddaughter's
7 time. But I have faith that the water will renew
8 itself. I have that much faith.

9 But why not start doing it in our time? So
10 please, don't let them dump these toxins. Don't let
11 them make us sick anymore. You know that we're sick
12 here in Southern Illinois. You know we have an
13 abundance of cancer here.

14 My community members over in Rocky Branch, they
15 have kidney cancer now. In three years, kidney cancer.
16 They were healthy. Now they have kidney cancer. We
17 lost one months ago. Steve Carnes, kidney cancer.

18 We have heart failures. We have aneurysms. We
19 have lung cancers abundantly. It's from the coal
20 industry. And you all know it. We know it.

21 We have the science, and we also have the data.
22 I have a great group of students and professors I work
23 with. And we have it, and we know it.

24 And we're done saying, we're just going to be

1 complicit, and come up here and say, oh, we're worried
2 about this, we're worried about that.

3 We're saying right now that we're done with this.
4 And we're going to start holding all of you accountable.
5 You're signing the permits. You're allowing these
6 industries to come into our homelands and destroy them.

7 So you are responsible. So take this
8 responsibility today, and think about this. Because
9 we're not going to turn our heads and say, oh, they're
10 too powerful. We can't fight.

11 We're ready. We are we're ready to fight. We've
12 done our homework, and we're ready to go. So I'm going
13 to leave you all with this:

14 (Singing Cherokee Water Blessing Song)

15 MS. WOMACK: Water blessings. We do it all the
16 time, and we have to do it more and more and more and
17 more, because of these decisions being made. Please,
18 let us live. Let us live.

19 MR. BRENNAN: The next speaker to sign up is
20 Joseph Krienert. I'm not sure if I'm saying that right.

21 MR. KRIENERT: It will work. Thanks for hearing
22 us prospectively. First off, I just got to say that I
23 recognize that mining is a difficult --

24 MR. DUBOSE: Can't hear you, Joe.

1 MR. KRIENERT: I recognize that mining is a
2 difficult fact of our lives. Pretty much most of the
3 things that are in this room were blessed upon us from
4 mining.

5 So I understand the permit process and giving
6 that resource to us to make our lives better is
7 important. I respect you guys for doing that. But I
8 hope you guys put certain efforts towards considerations
9 as we move into the future.

10 There's a part on the permit -- I didn't have
11 much time to go over it. But there are some parts that
12 are really unclear. And it's on a quantitative end.

13 They talk about average concentrations. They
14 don't give any kind of duration of that average over
15 time. It could be one concentration measurement.

16 Some of the higher concentrations, it's a little
17 bit unclear. That's on part 3, page 6, at the top from
18 the P456 form.

19 They give an average of 2,000 milligrams per liter
20 for chloride, and then they also give 1900 milligrams
21 per liter average for sulfate, which are both extremely
22 in excess of IEPA regulation.

23 Understandably, there's a thought that the
24 solution -- there was resolution in that case by

1 discharging into the Big Muddy. But even if you take 10
2 percent of the estimated percolation that's going on in
3 the mine, that's still over 100,000 gallons per day of
4 discharge of that potential concentration, which would
5 substantially supercede the background concentration in
6 the Big Muddy, in my scientific opinion.

7 And then also, the obscurity in the
8 concentrations that are listed are confusing to me. The
9 two concentrations they list for chloride and sulfate
10 are below the part 3, page 12, the requested assurance
11 that the concentrations will be equal to or less than
12 3,500 for sulfate and 1,000 for chloride.

13 So the two concentrations that they gave meet
14 that. But yet, when answering to that question in the
15 form is made, they don't answer it directly. They say,
16 there are no public water supplies near the proposed
17 water management pipeline discharge; therefore, no
18 adverse effects are anticipated.

19 So yet, their measurements that they claim are
20 the maximum of what would be discharged. They won't
21 agree to the question on the form, asking for a maximum
22 that is within that. That makes me feel that the
23 concentration that is listed might not been entirely
24 accurate.

1 Then finally, at one point, on attachment 55C2,
2 at the end of this, talking about the diffuser's design.
3 The last sentence in it states, an assumed effluent
4 chloride concentration of 12,000 milligrams per liter.

5 If that is to take place at upwards of 200,000
6 gallons per day discharge from the holding, that's an
7 extremely high concentration, well in excess of the
8 concentrations that are listed as their average.

9 So that's where a little bit of confusion about
10 what concentrations are actually assumed to be
11 discharged through this pipeline.

12 So if you guys, upon review of the permit, from a
13 relatively young scientist, but a determined one, I
14 would consider that you intensely hold them accountable
15 for the concentrations they list from a quantitative
16 expression of what they claim they levels are.

17 That's something that I would recommend strongly
18 for you all. Thank you for hearing our voice.

19 MR. BRENNAN: Thank you, sir. All right. Well,
20 if there are no other commenters --

21 MR. DUBOSE: I had a couple comments, if I could.

22 MR. BRENNAN: Mr. DuBose.

23 MR. DUBOSE: Yes. Contained in the permit
24 application is this plan that shows how they're

1 presently getting rid of the water at the coal mining
2 site.

3 And this is Figure 1, water flow diagram system,
4 page 42517. And just a couple of things of note. One
5 is, in addition to 2.7 million gallons coming from the
6 coal mine that they have to dispose of, they're also
7 using 720,000 gallons per day from the Johnston City
8 Lake.

9 So you know, you've got, like, over 3.4 million
10 gallons, and you're also having to dispose of water from
11 the slopes of the impoundment, runoff water, and
12 anything you take out of the RDA.

13 And at the present time, there's -- what I saw in
14 the permit is they're pumping it to an unnamed tributary
15 to Pine Creek. So if that's working, why would they be
16 doing this 12-mile pipeline? That's the question in my
17 mind.

18 MR. BRENNAN: Thank you, sir. If there are no
19 other comments, commenters, wishing to speak, I'm going
20 to close the hearing.

21 Please drop off any written comments or
22 statements, maps, or other documents you wish to be a
23 part of the public hearing record.

24 The Department shall receive additional written

1 statements and comments regarding the application for 10
2 days. That concludes on Friday, November 2nd of this
3 year.

4 All comments made and collected in tonight's
5 hearing, along with comments previously received by the
6 Department in the next 10 days shall be considered along
7 with its own review of the application, and considered
8 in making a final decision in issuing or denying the
9 company's permit.

10 Anyone attending this public hearing who has or
11 does provide written comments to the Department during
12 the comment period will receive a copy of the decision
13 prior to the application.

14 I would like to thank you all for your
15 participation tonight. This public hearing is now
16 adjourned.

17 (Whereupon, the hearing was adjourned at 6:52 p.m.)
18
19
20
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24

1 CERTIFICATE OF REPORTER
2
3 STATE OF ILLINOIS)
4) ss.
5 CITY OF BENTON)
6
7 I, Georgia Beth Long, a Certified Shorthand Reporter
8 (IL), do hereby certify that the meeting aforementioned
9 was held on the time and in the place previously
10 described.
11
12 IN WITNESS WHEREOF, I have hereunto set my hand and
13 seal.
14
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19 _____
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24

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